IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

WP(C).No. 30152 of 2006(M)

PETITIONER:

GEETHA RAGHAVAN, H.S.S.T.(JR.),
ENGLISH, C.P.H.S.S., KUTTIKKAD,
KOLLAM DISTRICT.

BY ADV. SRI.S.MUHAMMED HANEEFF
SMT.K.RASHMI

RESPONDENTS:
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1. THE MANAGER, C.P.H.S.S.,
KUTTIKKAD, KOLLAM DISTRICT.

2. REGIONAL DEPUTY DIRECTOR,
HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM.

3. DIRECTOR OF HIGHER SECONDARY EDUCATION
THIRUVANANTHAPURAM.

4. STATE OF KERALA, REP. BY ITS
SECRETARY TO THE GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

R2 TO R4 BY GOVT. PLEADER (SMT. M. R. SREELATHA)

R1 BY ADV. SRI.SHOBY K.FRANCIS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C). NO. 30152 OF 2006 M

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE REPRESENTATION SUBMITTED BY PETITIONER BEFORE THIRD RESPONDENT DATED 29.9.2006.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C. NO. 30152 OF 2006 M

Dated this the 11th January, 2007

JUDGMENT

The prayers in the Writ Petition are as follows:

"i) Issue a writ of mandamus or any other appropriate writ, order or direction directing the first respondent to appoint the petitioner as Principal of his School as provided under Rule 4 of Chapter XXXII KER.

ii) Issue a writ of mandamus or any other appropriate writ, order or direction directing the third respondent to consider and pass orders on Ext.P1 without further delay.

Iii) Issue a writ of mandamus or any other appropriate writ, order or direction directing the first respondent to re-categorize the petitioner as HSST with effect from the date of her original appointment as HSST (Jr)."

2. Heard the learned counsel for petitioner and the learned Government Pleader. In the facts and circumstances of the case,

the Writ Petition is disposed of as follows:

There will be a direction to undertake the process of selection to the post of Principal of the School in accordance with Rule 4 of Chapter XXXII KER. The process shall be commenced within a period of three weeks from the date of receipt of a copy of this Judgment and it shall be concluded as expeditiously as possible. I make it clear, however, that this direction shall be conditional upon there being no one who is entitled to continue as Principal in terms of the Judgment of the Full Bench in Aided Higher Secondary School Teachers Association v. State of Kerala (2005 (1) KLT 94).

K. M. JOSEPH, JUDGE

kbk.